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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
CLEOPHUS FULLER, )  
 )  
Defendant. )

No. CR 09-1031 VRW

~~PROPOSED~~ ORDER EXCLUDING  
TIME FROM NOVEMBER 12, 2009 TO  
DECEMBER 10, 2009

Vaughn R Walker

The parties appeared before the Honorable ~~Vaughn R. Walker~~ on November 12, 2009.

With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from November 12, 2009 to December 10, 2009. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for counsel to review the discovery with the defendant.

ORDER EXCLUDING TIME  
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2. Given these circumstances, the Court found that the ends of justice served by excluding the period from November 12, 2009 to December 10, 2009, outweigh the best interest of the public and the defendant in a speedy trial and filing of an indictment or information. 18 U.S.C. § 3161(h)(7)(A).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from November 12, 2009 to December 10, 2009, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: November 12, 2009

/s/  
JODI LINKER  
Counsel for Cleophus Fuller

DATED: November 12, 2009

/s/  
BRIAN C. LEWIS  
Assistant United States Attorney

IT IS SO ORDERED.

DATED: 11/13/2009

VAUGHN R. WALKER  
Chief U.S. District Judge  
Northern District of California  
Judge Vaughn R Walker

